

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KYLE WILLIAMS,
Plaintiff,

v.

CDCR MEDICAL, et al.,
Defendants.

No. 1:20-cv-00807-NONE-JLT (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(Doc. No. 8)

Plaintiff Larry Joe Percival is a state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 15, 2020, the assigned magistrate judge issued an order directing plaintiff to pay the filing fee for this action or to submit an application to proceed *in forma pauperis*. (Doc. No. 4.) Plaintiff failed to pay the filing fee, submit an application, or otherwise respond to the judge's order. Therefore, on August 14, 2020, the magistrate judge issued an order to show cause why this action should not be dismissed for failure to comply with a court order. (Doc. No. 6.) The judge cautioned plaintiff that "[f]ailure to comply with this order [would] result in dismissal of this action." (*Id.* at 2.) Plaintiff failed to respond to the order to show cause.

Accordingly, on September 28, 2020, the magistrate judge filed findings and recommendations, recommending that this action be dismissed for plaintiff's failure to pay the

1 filing fee and to obey court orders. (Doc. No. 8.) The findings and recommendations were
2 served on plaintiff and provided him 14 days to file objections thereto. (*Id.* at 2.) Plaintiff has
3 not filed any objections and the time do so has passed.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
5 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
6 and recommendations to be supported by the record and proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on September 28, 2020 (Doc. No. 8) are
9 adopted in full;
- 10 2. This action is dismissed for plaintiff's failure to obey court orders and failure to
11 pay the filing fee for this action; and,
- 12 3. The Clerk of the Court is directed to assign a district judge to this action for
13 purposes of closure and to close this case.

14 IT IS SO ORDERED.

15 Dated: November 6, 2020

16 
UNITED STATES DISTRICT JUDGE